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SCS custody case

(134)

Parents awarded custody

Jones temple asked to return child

By Tim Reiterman

Former deputy district attorney Timothy Stoen and his separated wife have been awarded custody of their 5-year-old son and are calling upon the Rev. Jim Jones to return the child from the Peoples Temple agricultural mission in Guyana.

Stoen, a former high ranking temple member said yesterday that he decided to join forces with his wife in the complex custody battle because he received information that their son, John Victor Stoen, was being turned against his mother.

Though they have been separated, the couple appeared before Superior Court Judge Frank G. Finnegan in San Francisco and agreed that Stoen's wife Grace would have physical custody of the boy, that Stoen would share legal custody and that Stoen would have visitation rights.

The judge also ruled that Jones, who joined as a party of interest in the custody fight, had failed to appear as ordered although he had been properly served.

"This means that Jones is required to give up the child immediately," said Grace Stoen's attorney, Jeff Haas.

The question remains whether Guyanese courts will recognize the United States court order.

Temple attorney Charles Garry to respond to the court action and the Stoens' request for return of the child. He said Jones previously has taken the position that he intends to keep the child.

Temple member Joyce Touchette has filed papers with the Guyanese courts alleging that Mrs. Stoen was an unfit mother and had given her power of attorney and permission to take the child to Guyana.

But Grace, 27, and Tim, 40, have revoked any alleged powers of attorney given to Touchette or Jones. And Stoen testified that his wife was an "excellent mother."

In a letter dated Nov. 17, Stoen told Jones: "I have received reliable information to the effect that Grace is being seriously discredited in John's eyes. Not only is this deeply offensive to me, but it could easily cause irreparable emotional harm to John.

"I ask you to immediately reverse the hate campaign and to advise John repeatedly what you and I both know to be true—that Grace loves him deeply and has never abandoned him."

Haas said he will consider contempt proceedings against Jones if the child is not returned by a Nov. 25 deadline in the letter. "That child now is supposed to be with Grace, and anyone who withholds the child is in defiance of a court order."

Added Stoen, "I made a promise to Jim that I would be back with Grace by Jan. 1. I will personally go down and get him if Jim refuses to cooperate."

He said, "This puts me on a collision course with a man I was so fiercely loyal to. But I'm doing it because it's right."

Stoen is a former Mendocino County deputy district attorney who came to the San Francisco District Attorney's office in 1976 to prosecute voter fraud cases.

He left the San Francisco post earlier this year to devote his efforts to the church mission in South America.

"I left the church because I didn't like the authoritarianism for myself," he said. "I quit in March... Then Jim begged me to come back because he felt I was needed at the mission. I finally left again June 8. I felt that John was being well cared for there at the time."

In 1969, Grace and Tim joined the temple and were married by Jones in Redwood Valley, near Ukiah. They became members of the church hierarchy.

Grace said in an earlier interview that beatings of church members prompted her to leave in 1975. The last time she saw her son was in September 1970 in Los Angeles when her husband and Jones refused to give up the child.

Her attorney flew to Guyana with a court order giving her temporary custody last September, but his efforts to find Jones and the